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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,) Case No 2:18-cr-00244-JCM-DJA
10 Plaintiff,)
11 vs.) **REVISED STIPULATION TO EXTEND**
12 PHILLIP AVION MCGREGGOR,) **TIME FOR GOVERNMENT'S**
13 Defendant.) **RESPONSE TO DEFENDANT'S**
14) **COMPASSIONATE RELEASE**
15) **MOTION**
16)
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15 IT IS HEREBY STIPULATED AND AGREED, by and between Assistant United
16 States Attorney Susan Cushman, counsel for the United States of America; and Assistant
17 Federal Public Defender Katherine Tanaka, counsel for Phillip Avion McGregor, that the
18 government's response to Mr. McGregor's Emergency Motion for Compassionate
19 Release (ECF No. 128) be extended by seven days, to and including December 8, 2020.

20 This amended stipulation is entered into for the following reasons:

21 1. Mr. McGregor filed his motion on Tuesday, November 24, 2020. ECF No.
22 128.

23 2. On November 24, 2020, the government filed a stipulation and order
24 extending the time for the government to respond. (ECF 131) The stipulation correctly

1 asked for the agreed upon date of December 8, 2020, but the order incorrectly referenced
2 another case and a response due date of December 4, 2020.

3 3. On December 2, 2020, the Court granted the stipulation with a response due
4 date of December 4, 2020. (ECF 132)

5 4. The government is now submitting a revised stipulation and revised order
6 requesting a response date of December 8, 2020.

7 5. Last week government counsel handling this matter was the duty attorney
8 and is scheduled to be out of the office part of the week on November 30, 2020.
9 Government counsel will need time to review McGreggor's motion and records. In light of
10 the Thanksgiving holiday, the government believes needs additional time, to and including
11 December 8, 2020, to review the motion, related medical records, and other records, and
12 prepare and file the government's response.

13 4. McGreggor's counsel consents to this extension of time.

14 DATED this 2nd day of December, 2020.

15 RENE L. VALLADARES
16 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

17 By: /s/ Katherine Tanaka
18 Katherine Tanaka
Asst. Federal Public Defender
Counsel for Phillip Avion McGreggor

19 By: /s/ Susan Cushman
20 Susan Cushman
21 Assistant United States Attorney
22 Counsel for the United States

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Based on the Stipulation of counsel and good cause appearing,

IT IS THEREFORE ORDERED that the government's response to Defendant's Renewed Emergency Motion for Compassionate Release (ECF No. 128) be due on December 8, 2020.

DATED December 4, 2020.

Xenia C. Mahan
UNITED STATES DISTRICT JUDGE